

REMARKS

Claims 6-19 are pending in the present application.

Claim Rejections-35 U.S.C. 112

Claims 8 and 15 have been rejected under 35 U.S.C. 112, first paragraph. The Examiner has noted in the Final Office Action dated May 7, 2007, that the claims state that the event zones are separated by execution of a reset event, and has further asserted that the claims do not explain exactly how this is accomplished. The Examiner has further asserted in the Advisory Action dated August 16, 2007, that “the claims itself does not explain or limit how the function is carried out”. This rejection is respectfully traversed for the following reasons.

As emphasized in the Request for Reconsideration dated August 3, 2007, claims may be written broadly, without explaining or limiting how a function is carried out. That is, it is well settled that a claim may recite the function of an element or a component of a device, without explaining or limiting how the element or component specifically carries out or performs the function. For example, under 35 U.S.C. 112, sixth paragraph, merely the function of an element may be recited, without narrowly specifying how the function is carried out. This is not to say however that claims 8 and 15 should be considered under 35 U.S.C. 112, sixth paragraph.

Regardless, it is not understood how this issue is applicable under 35 U.S.C. 112, first paragraph, as asserted by the Examiner. That is, the issue raised by the

Examiner pertains to the claims allegedly failing to explain or limit how a function is carried out. This would not appear to be an issue with respect to 35 U.S.C. 112, first paragraph.

The mobile karaoke device of claim 8 features that the multimedia processor “divides the karaoke event data into a number of event zones by executing a reset event”.

As described beginning on page 7, line 6 of the present application, event processing may be done in an overlapping mode, wherein for example a Text Event 903 as shown in Fig. 9 is displayed on the mobile device, in an overlapping manner with a Picture Event 904. As further described beginning on page 7, line 14 of the present application, the Reset Event R as designated in Fig. 8 clears all previous events. That is, the display of the mobile device is cleared, so that subsequent or new Picture or Text Events may thereafter be displayed. As described beginning on page 7, line 19 of the present application, since the Reset Event has a clearing function, it should readily be understood that the Reset Event is useful as bounding or dividing karaoke events as displayed.

Applicants respectfully submit that one of ordinary skill in the art of mobile devices would readily understand how the above noted Reset Event may be characterized as bounding or dividing karaoke events by clearing previous event data. Moreover, there is no requirement in the statutes necessitating that a claim “exactly explains” how a function is accomplished, as apparently asserted by the Examiner.

Such a requirement would unnecessarily limit claim scope. Applicants respectfully submit that the specification would enable one of ordinary skill how to make and/or use the invention, and that claims 8 and 15 are in compliance with 35 U.S.C. 112, first paragraph. The Examiner is therefore respectfully requested to withdraw this rejection.

If this rejection is to be maintained, the Examiner is respectfully requested to cite relevant statutes requiring that a claim “explains exactly” how a function is accomplished.

Claim Rejections-35 U.S.C. 102

Claims 6-19 have been rejected under 35 U.S.C. 102(e) as being anticipated by the Naples et al. reference (U.S. Patent Application Publication No. 2002/0162445).

This rejection is respectfully traversed for the following reasons.

The mobile karaoke device of claim 6 includes in combination among other features a sound generator “that plays sound responsive to the song data”, the sound generator “responding to receipt of the synchronization data embedded within the song data by sending an interrupt signal to said multimedia processor, said multimedia processor executing the karaoke events in time order in synchronization responsive to receipt of the interrupt signal”. Applicants respectfully submit that the Naples et al. reference as relied upon by the Examiner fails to disclose these features.

The Examiner has asserted in the Final Office Action dated May 5, 2007, that the

Naples et al. reference shows every claimed feature. Applicants however respectfully submit that the Naples et al. reference does not disclose a sound generator within a mobile karaoke device, whereby the sound generator plays sound responsive to song data, and also sends an interrupt signal to a multimedia device responsive to synchronization data embedded within the song data. **That is, the Examiner has not clearly identified the particular elements in the figures of the Naples et al. reference that have been specifically interpreted as the sound generator of claim 6, and has also failed to particularly identify synchronization (sync) data embedded within song data.**

In the Advisory Action dated August 16, 2007, the Examiner has made specific reference to paragraphs [0048], [0049], [0097] and [0098] of the Naples et al. reference.

However, paragraph [0048] of the Naples et al. reference merely describes that a data file contains a standardized performance of music or sound digitally encoded. The standardized performance is encoded in one or more parts that “can be played back synchronously” by an interactive karaoke system. Applicants respectfully submit that paragraph [0048] of the Naples et al. reference does not specifically describe a sound generator that plays sound responsive to song data, and that sends an interrupt signal responsive to sync data embedded within the song data to a multimedia processor. Although the standardized performance “can be played back synchronously” as described in paragraph [0048] of the Naples et al. reference, there is no description in

this paragraph of sync data embedded in song data, or even how synchronous playback is achieved.

In paragraph [0049] of the Naples et al. reference, the data file is described as containing additional contents such as timing cues, lyrics, and other features. The additional content is time-correlated to audio content for synchronous playback. However, paragraph [0049] of the Naples et al. reference does not specifically describe a sound generator, and more particularly does not specifically describe a sound generator that provides an interrupt signal to a multimedia processor responsive to sync data embedded within song data. Paragraph [0048] in contrast describes timing cues and lyrics, not sync data embedded within song data played by a sound generator. Moreover, there is no description regarding how time-correlation and/or synchronous playback is accomplished in paragraph [0049] of the Naples et al. reference.

In paragraph [0097] Naples et al. reference, cue track 48c is described as specifying timing intervals during which the user is prompted for input stimuli. Paragraph [0097] of the Naples et al. reference does not specifically describe a sound generator, and more particularly does not describe a sound generator that generates an interrupt signal provided to a multimedia processor responsive to sync data embedded within song data. Cue track 48c as described in paragraph [0097] of the Naples et al. reference is not song data, or more particularly is not sync data embedded within song data.

Paragraph [0098] of the Naples et al. reference further describes timing of a cue

interval which indicates when a prompt should be displayed to the user. Paragraph [0098] of the Naples et al. reference does not describe a sound generator, and more particularly does not describe a sound generator that sends an interrupt signal to a multimedia processor responsive to sync data embedded within song data.

As emphasized on page 4 of the Request for Reconsideration dated August 3, 2007, the Examiner has very generally asserted on page 3 of the Final Office Action that paragraphs 7, 11, 48-50, 56-62, 78, 87-91, 93, 107, 112-118, 195-199, 206-211 and 214 of the Naples et al. reference variously disclose the features of claim 6. As noted above, the Examiner has further asserted in the Advisory Action dated August 16, 2007, that paragraphs 48, 49, 97 and 98 disclose features of claim 6. However, Applicants respectfully submit that the above noted paragraphs of the Naples et al. reference as very generally relied upon by the Examiner do not specifically describe or disclose a sound generator that responds to receipt of sync data embedded with song data, and that sends an interrupt signal to a multimedia processor responsive to the embedded sync data. The Examiner has not specifically identified by reference numeral components in the figures of the Naples et al. reference that have been interpreted as the sound generator of claim 6. By very generally directing attention to the various numerous paragraphs of the Naples et al. reference, the Examiner has failed to establish on the record how the Naples et al. reference has been interpreted to include a sound generator, sync data embedded within song data, and an interrupt signal provided by a sound generator responsive to sync data embedded within song

data.

Of note, as described in paragraph [0196] of the Naples et al. reference with respect to Fig. 14A, performance timer interface 84 allows exchange of timing signals, or more particular the dissemination of a clock pulse. This would appear to imply that timing is not achieved based on interrupt signals derived from sync signals embedded within song data, as in claim 6. For example and not to be construed as limiting, the synchronization data is described on page 6, lines 16-17 of the present application as possibly special data strings, such as the data of MIDI channel 10 of note number 127. Clearly, the disseminated clock of the Naples et al. reference as noted above can not be interpreted as synchronization data embedded within song data, or an interrupt signal responsive thereto, as featured in claim 6. Applicants therefore respectfully submit that the mobile karaoke device of claim 6 distinguishes over the Naples et al. reference as relied upon by the Examiner, and that this rejection of claims 6-12 is improper for at least these reasons.

The mobile karaoke service method of claim 13 includes in combination “playing sound responsive to the song data”; “generating an interrupt signal responsive to the synchronization data embedded within the song data”; and “executing the karaoke events in time order in synchronization responsive to generation of the interrupt signal”. Applicants respectfully submit that the Naples et al. reference as relied upon by the Examiner fails to disclose these features.

The Examiner has asserted in the Final Office Action dated May 7, 2007, that the

rejection of claims 6-12 gives sufficient grounds for rejecting claims 13-19. However, the above noted paragraphs of the Naples et al. reference as very generally relied upon by the Examiner do not specifically describe or disclose generating an interrupt signal responsive to synchronization data embedded within song data, and executing karaoke events in time order in synchronization responsive to generation of the interrupt signal. As noted above, the Examiner has not specifically identified an interrupt signal, or song data having synchronization data embedded therein. Applicants therefore respectfully submit that the mobile karaoke service method of claim 13 distinguishes over the Naples et al. reference as relied upon by the Examiner, and that this rejection of claims 13-19 is improper for at least these reasons.

Conclusion

The Examiner is respectfully requested to reconsider and withdraw the corresponding rejection, and to pass the claims of the present application to issue, for at least the above reasons.

In the event that there are any outstanding matters remaining in the present application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (571) 283-0720 in the Washington, D.C. area, to discuss these matters.

Pursuant to the provisions of 37 C.F.R. 1.17 and 1.136(a), the Applicants hereby petition for an extension of one (1) month to September 7, 2007, for the period in which to file a response to the outstanding Office Action. The required fee of \$110.00 should

be charged to Deposit Account No. 50-0238.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0238.

Respectfully submitted,

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